

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Form 14. Motion for Extension of Time

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form14instructions.pdf>

9th Cir. Case Number(s) 22-50093

Case Name United States v. Brinson

Requesting Party Name(s) United States

I am: ☐ The party requesting the extension.
☒ Counsel for the party or parties requesting the extension.

I request an extension of time to file a:

- ☒ Brief (you **must** also complete the Declaration on page 3)
☐ Motion to proceed in forma pauperis
☐ Motion for a certificate of appealability
☐ Response/opposition to a pending motion
☐ Reply to a response/opposition to a pending motion
☐ Certified Administrative Record
☐ Response to court order dated
☐ Other (you **must** describe the document)

The requested new due date is: March 30, 2023

I request the extension of time because (**cannot be left blank**):

(attach additional pages if necessary)

I was recently assigned this appeal by my office. Appellant previously moved for and received two 60-day extensions of time. The Court accepted appellant's late-filed brief on Feb. 7, 2023, but did not extend the government's existing Feb. 13 deadline. I entered my appearance on Feb. 7. This appeal involves nearly five years of litigation and a 434-page electronic record. A 45-day extension of time is needed to fully review and understand the record and brief the issues.

Signature s/ Rajesh R. Srinivasan

Date February 8, 2023

(use "s/[typed name]" to sign electronically-filed documents)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Recitals in criminal and immigration cases pursuant to Circuit Rule 27-8

Complete this section for criminal or immigration cases.

Previous requests for extension of time to file the document, including any request for a Streamlined Extension of Time under Circuit Rule 31-2.2(a) (*select one*):

- ☒ I have **NOT** filed a previous request to extend time to file the document.
- ☐ I have previously requested an extension of time to file the document.

This motion is my request.

(Examples: first, second)

Bail/detention status (*select one*):

- ☒ The defendant is incarcerated. The projected release date is: .
- ☐ The petitioner is detained.
- ☐ The defendant/petitioner in this criminal/immigration case is at liberty.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)

Declaration in support of extension to file brief under Circuit Rule 31-2.2(b)
Complete this section if you are requesting an extension of time to file a brief.

1. I request an extension of time to file the brief.

(Examples: opening, answering, reply, first cross-appeal)

2. The brief's current due date is:

3. The brief's first due date was:

4. A more detailed explanation of why the extension of time to file the brief is necessary: *(Under Circuit Rule 31-2.2(b), a request for extension of time to file a brief must be "supported by a showing of diligence and substantial need" and a conclusory statement as to the press of business does not constitute such a showing. Attach additional pages if necessary.)*

5. The position of the other party/parties regarding this request is:

☒ Unopposed.

☐ Opposed by *(name of party/parties opposing this motion)*:

☐ Unknown. I am unable to verify the position of the other party/parties because:

6. ☒ The court reporter is not in default with regard to any designated transcripts.

If the court reporter is in default, please explain:

7. ☒ I have exercised diligence and I will file the brief within the time requested.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)

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Declaration Addendum

4. A more detailed explanation of why the extension of time to file the brief is necessary:

I was recently assigned this appeal by my office. Appellant previously moved for and received two 60-day extensions of time. The Court accepted appellant's late-filed brief on Feb. 7, 2023, but did not extend the government's existing Feb. 13 deadline. I entered my appearance on Feb. 7. This appeal involves nearly five years of litigation and a 434-page electronic record. A 45-day extension of time is needed to fully review and understand the record and brief the issues.